

**DECLARATION FOR PATENT APPLICATION**

Docket No. AM-9810

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SMART TURBOGENERATOR POWER CONTROL SYSTEM**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ALBERT J. MILLER

Address all telephone calls to Albert J. Miller at (707) 964-1154

Address all correspondence to Albert J. Miller, 24441 Hillshore Drive, Westport, CA 95488

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor ROBERT W. BOSLEY  
First joint inventor's signature Robert W. Bosley Date 5-19-99  
Residence Cerritos, CA Citizenship U.S.A.  
Post Office Address 18104 Hoffman Avenue, Cerritos, CA 90703

Full name of second joint inventor EDWARD C. EDELMAN  
Second joint inventor's signature Ed. Edelman Date 5/19/1999  
Residence Agoura Hills, CA Citizenship U.S.A.  
Post Office Address 30406 Passageway Place, Agoura Hills, CA 91301

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket No. AM-9810

Applicants: Robert W. Bosley and Edward C. Edelman

Title: **SMART TURBOGENERATOR POWER CONTROL SYSTEM**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in the specification filed herewith with title as listed above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

Capstone Turbine Corporation  
6430 Independence Avenue  
Woodland Hills, CA 91367

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Robert W. Bosley

Signature

Date

Robert W. Bosley 5-19-1999

NAME OF INVENTOR Edward C. Edelman

Signature

Date

Edward C. Edelman 5-19-1999

**VERIFIED STATEMENT Aiming Small Entity Status**  
**(37 CFR 1.9(f) & 1.9(c))--SMALL BUSINESS CONCERN**

Docket No. AM-9810

Applicants: Robert W. Bosley and Edward C. Edelman

Title: **SMART TURBOGENERATOR POWER CONTROL SYSTEM**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Capstone Turbine Corporation  
ADDRESS OF SMALL BUSINESS CONCERN 6430 Independence Avenue, Woodland Hills, CA 91367

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the specification filed herewith with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:  
No such person, concern, or organization exists.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Jeffrey R. Watts

TITLE OF PERSON IF OTHER THAN OWNER Senior Vice President, Finance and Administration

ADDRESS OF PERSON SIGNING 6430 Independence Avenue, Woodland Hills, CA 91367

SIGNATURE  DATE 5/19/99

153501-0134/P02030US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Bosley et al.  
Serial No. : 09/316,896  
Filed : May 22, 1999  
For : Smart Turbogenerator Power  
Control System  
Examiner : Jennifer Dougherty  
Art Unit : 3672

CERTIFICATE OF MAILING  
UNDER 37 CFR 1.08

12/11/00

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Kathleen Krochko

Typed or Printed Name of Person Mailing Paper or Fee

Kathleen Krochko

Signature of Person Mailing Paper or Fee

POWER OF ATTORNEY  
AND  
REVOCATION OF PREVIOUS POWERS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.36, I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified patent application and hereby appoint IRELL & MANELLA LLP, 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067, telephone number (310) 277-1010 (direct all communications to Rachele Wittwer) and:

<u>Attorney</u>	<u>Reg. No.</u>
Norman E. Brumell	26,533
Gary Frischling	35,515
Soyeon Laub	39,266
Raj Sardesai	39,825
Samuel K. Lu	40,707
Flavio Rose	40,791

<u>Attorney</u>	<u>Reg. No.</u>
Benjamin Hattenbach	41,820
Andrei Iancu	41,862
Paul Backofen	42,278
Robert Popa	43,010
Peter Wied	43,264

(all of the same address), and any and all attorneys associated therewith after this date, individually and collectively my attorneys to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

153501-0134/P02030US

I am the:

☐ Applicant.

☒ Assignee of record of the entire interest;  
and pursuant to 37 C.F.R. § 3.71 I hereby state that I am the assignee of record of the  
entire interest in the patent application identified above by virtue of an assignment  
from the inventor(s) of the patent application identified above. The assignment was  
recorded in the Patent Office at Reel 009989, Frame 0080, and a copy thereof is  
attached.

**Signature of Applicant or Assignee of Record**

Name: Jeffrey Watts

Signature: \_\_\_\_\_

*Jeffrey Watts* CFD

Date: \_\_\_\_\_

12-8-00

12/08/00 17:28 FAX 818 734 5352



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AUGUST 03, 1999

PTAS

ALBERT J. MILLER  
24441 HILLSHORE DRIVE  
WESTPORT, CA 95488



\*101053945A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY., SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/22/1999

REEL/FRAME: 009989/0080  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BOSLEY, ROBERT W.

DOC DATE: 05/19/1999

ASSIGNOR:

EDELMAN, EDWARD C.

DOC DATE: 05/19/1999

ASSIGNEE:

CAPSTONE TURBINE CORPORATION  
6430 INDEPENDENCE AVENUE  
WOODLAND HILLS, CALIFORNIA 91367

SERIAL NUMBER: 09316896

PATENT NUMBER:

FILING DATE: 05/22/1999

ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

06-03-1999

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**



101053945

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

U.S. PTO  
09/31/99  
101053945

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID#
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

**Conveyance Type**

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**  
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name (line 1) Bosley, Robert W.

05/19/1999

Name (line 2)

**Second Party**

Name (line 1) Edelman, Edward C

Execution Date  
Month Day Year  
05/19/1999

Name (line 2)

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1) Capstone Turbine Corporation

Name (line 2)

Address (line 1) 6430 Independence Avenue

Address (line 2)

Address (line 3) Woodland Hills

CA

91367

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name Albert J. Miller

Address (line 1) 24441 Hillshore Drive

Address (line 2) Westport, CA 95488

Address (line 3)

Address (line 4)

06/02/1999 DNGUYEN 00000132 09316896

FOR OFFICE USE ONLY

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Correspondent Name and Address**

Area Code and Telephone Number

707-964-1154

Name Albert J. Miller

Address (line 1) 24441 Hillshore Drive

Address (line 2)

Address (line 3)

Address (line 4) Westport, CA 95488

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 3

**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)


If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
05 19 1999

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT  PCT  PCT   
PCT  PCT  PCT

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:  
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☐ No ☐

**Statement and Signature**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

Albert J. Miller

Name of Person Signing

Albert J. Miller

Signature

5/21/99

Date



ASSIGNMENT OF PATENT APPLICATION

WHEREAS, Robert W. Bosley of 18104 Hoffman Avenue, Cerritos, CA 90703 and Edward C. Edelman of 30406 Passageway Place, Agoura Hills, CA 91301, hereinafter referred to as "ASSIGNORS", are the joint inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of Invention: **SMART TURBOGENERATOR POWER CONTROL SYSTEM**

Date of Execution: 5/19/99

WHEREAS, Capstone Turbine Corporation, a California corporation, located at 6430 Independence Avenue, Woodland Hills, California 91367, hereinafter referred to as "ASSIGNEE", wants to acquire an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do hereby assign to Assignee, all right, title and interest in and to the said invention and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agrees that Assignors will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U. S. patent applications and foreign

counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors has signed their names on the dates indicated.

Dated: 5-19-1999

Robert W. Bosley

Robert W. Bosley

Dated: 5/19/1999

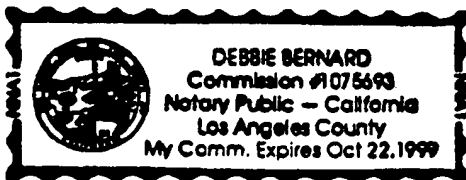
Edward C. Edelman

Edward C. Edelman

STATE OF CALIFORNIA     )  
  )     ss.  
COUNTY OF LOS ANGELES    )

On May 19, 1999 before me, Debbie Bernard, Notary Public, personally appeared Robert W. Bosley, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

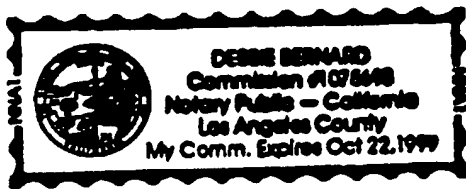


Debbie Bernard  
Signature of Notary Public

STATE OF CALIFORNIA     )  
  )     ss.  
COUNTY OF LOS ANGELES    )

On May 19, 1999 before me, Debbie Bernard, Notary Public, personally appeared Edward C. Edelman, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Debbie Bernard  
Signature of Notary Public